



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: June 5, 2013

Sponsored by Council Members: Webb, Mihalko, Berg, Motsavage, Matzo, Rennia, Papastrat

Introduced by Committee: Planning & Community Development

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING THE  
ABANDONMENT OF 126 ELDREDGE STREET  
(A PORTION OF LIBERTY STREET) AS A  
PUBLIC STREET**

WHEREAS, General City Law § 20.7 permits a city to discontinue a public street if it is no longer necessary for public use; and

WHEREAS, 126 Eldredge Street (a portion of Liberty Street), Parcel ID Number: 160.27-1-19, from the intersection of Eldredge Street to the Railroad, approximately 55 feet by 155 feet, has not been used as a public street, is designated as commercial space, and was thus included in a public auction on April 13, 2013; and

WHEREAS, in order to confirm that 126 Eldridge Street has not been used as a public street, the Council of the City of Binghamton duly advertised and held a public hearing on June 5, 2013, to officially abandon 126 Eldredge Street; and

WHEREAS, the Council has determined that 126 Eldredge Street has not been used as a public street, is designated and assessed as commercial space, and is no longer necessary for any public use, although it may benefit the City of Binghamton to have continued utility easements over a portion of said area; and

WHEREAS, the Council adopted Permanent Resolution 13-33, on May 8, 2013, entitled, "An Ordinance Authorizing the Sale of up to 33 Properties Pursuant to The April 2013 Broome County Auction" and wishes to re-affirm the sale of 126 Eldredge Street to the highest bidder.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That 126 Eldredge Street (a portion of Liberty Street), Parcel ID Number: 160.27-1-19, from the intersection of Eldridge Street to the Railroad, approximately 55 feet by 155 feet, is not a public street and is no longer necessary for any public use.

Section 2. That subject to such easements and other rights of ingress and egress as the City Engineer, Commissioner of Public Works, and Corporation Counsel may deem necessary and proper, the Public Works Department is authorized to take the necessary action to properly discontinue said portion of Liberty Street as public property.

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Section 3. That based on the foregoing, the Council wishes to re-affirm its approval of the sale of 126 Eldredge to the highest bidder at the April 13, 2013 Broome County Auction.

Section 4. That this ordinance shall take effect immediately.

I hereby certify the above to be a true copy  
of the legislation adopted by the Council  
of the City of Binghamton at a meeting  
held on 6/19/13. Approved by the  
Mayor on 6/24/13.

A handwritten signature in cursive script, appearing to read "Douglas Holmes", is written over the printed text of the certification.

**State Environmental Quality Review**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Non-Significance**

**Project Number:** None

**Date:** June 5, 2013

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Binghamton City Council as lead agency has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Abandonment and sale of a portion of Liberty Street (a/k/s 126 Eldredge).

**SEQR Status:**       Type 1  
                          Unlisted       X

**Conditioned Negative Declaration:**       Yes  
  No       X

**Description of Action:**

Abandonment and sale of a portion of Liberty Street (a/k/s 126 Eldredge) Parcel ID Number: 160.27-1-19, from the intersection of Eldredge Street to the Railroad, approximately 55 feet by 155 feet.

**Location:** The City of Binghamton, Broome County, New York

**Reasons Supporting This Determination:**

The a portion of Liberty Street (a/k/s 126 Eldredge), is approximately 55 feet by 155 feet, it has a Tax Parcel ID, it assessed as commercial space and is not used as a public street. The street serves no public purpose and is not used by the public. Sale of the parcel will allow for commercial development consistent with zoning and the character of the neighborhood. Any future development, if any, will be subject to all Code, zoning, and planning regulations, including stormwater runoff.

The lead agency has determined that the action will not have a significant adverse impact on the environment for the following reasons:

The action will not produce a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The action will not involve the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant or the habitat of such a species; or other significant adverse impacts to natural resources.

The action will not cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14 (g).

The action will not create a material conflict with a community's current plans or goals as officially approved or adopted.

The action will not impair the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The action will not cause a major change in the use of either the quantity or type of energy.

The action will not create a hazard to human health.

The action will not cause a substantial change in the use or intensity of use of land including agriculture, open space or recreation resources, or in its capacity to support existing uses.

The action will not change two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together results in a substantial adverse impact on the environment.

Impacts from the action may combine with impacts of other, possible independent actions in the vicinity. The lead agency finds that when considered cumulatively such combination will not create a significant adverse impact on the environment.

### **For Further Information**

Contact Person: Teri Rennia  
City of Binghamton City Council

Address: City Hall  
38 Hawley Street  
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)